

*Recd 2/5/2020*

*Def*

January 31, 2020

Certified Mail #7018 2290 0000 1966 7655

Michael J. Dodd  
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Probation Officer Amanda Cambeiro  
Carl B. Stokes Federal Court House  
801 West Superior Ave.  
Suite 3-100  
Cleveland, Ohio 44113

**RE: CASE #1:15-CR-00552-ERK-1**

Officer Cambeiro:

As you know, Judge Edward R. Korman released me to return to my home in the Republic of Panama in a February 2018 court order, which is attached. The Judge's decision was made after supportive input from both the United States Attorney's and the Federal Probation Departments. I voluntarily stayed the United States to pursue my appeals. I am no longer interested in pursuing my appeal or bringing a Habeas Corpus Petition before the District Court. I want to put this behind me and move on with my life. Therefore, I will be leaving the United States in the next few weeks to return to my home in the Republic of Panama. In route, I will stop to visit my son who lives and works in Vietnam. I have not seen him in years, due to my gross lack of Judgement in this case. Also, you are aware that I filed a motion to terminate my supervised release, having served more than twenty-six months of the thirty-six that was ordered. Should Judge Korman grant my motion, this will end this process for me, and I will have no further obligation to the court under the terms of my sentencing. However, should the judge deny my motion, and should I return to the United States prior to November 27, 2020; I will immediately report to you and/or your office, as required by Judge Korman's order. My return to the United States prior to November 27, 2020 is highly unlikely absent a medical emergency. I want to thank you and your colleagues for the support I received during my supervised release, AUSA Dennehy for his fair handed treatment, and Judge Korman for preserving my appeal rights.

Respectfully Submitted,

*Michael J. Dodd*

Michael J. Dodd

C: Judge Edward R. Korman: Certified Mail #7018 2290 0000 1966 7648  
AUSA Jack Dennehy: Certified Mail #7018 2290 0000 1966 7631

where Mr. Dodd should serve his term of supervised release -- I reiterate that Mr. Dodd should ask the Probation Department about moving to Panama. While Mr. Dodd may be correct that Probation is without authority in the first instance to determine where he should serve his period of supervised release, Mr. Dodd did not seek at sentencing to be permitted to serve his supervised release in Panama. Normally, when a request such as this is made while a defendant is on supervised release, I ask the Probation Department for its recommendation. Because Mr. Dodd is effectively requesting the termination of supervised release (as Probation cannot supervise him in Panama), such a request is particularly appropriate here. If the Probation Department recommends denying the request, Mr. Dodd may then ask me to reject Probation's recommendation. Rather than going back and forth on this issue with Mr. Dodd, which will only delay resolution of the issue, I am forwarding his request to Probation for its recommendation. Ordered by Judge Edward R. Korman on 1/18/2018. (Ward, Andrew)c/m Modified on 1/23/2018 (Susi, PaulaMarie). (Entered: 01/18/2018)

01/22/2018	<u>115</u>	Mail Returned: Electronic Order dated 12/22/2017. Postal Notation: Return to Sender, not deliverable as addressed, unable to forward. (Tavarez, Jennifer) (Entered: 01/22/2018)
01/23/2018	<u>117</u>	Letter dated 01/22/2018, to Judge Korman from Michael Dodd responding to the 01/18/2018 Order. (Williams, Erica) (Entered: 01/25/2018)
01/25/2018	<u>118</u>	Letter dated 1/22/2018 from PaulaMarie Susi, Case Manager to Judge Korman, to Michael Dodd instructing him how to properly file his documents. (Williams, Erica) (Entered: 01/25/2018)
02/02/2018	<u>119</u> 	ORDER as to Michael Dodd re 116 PROB Status Report. Upon this recommendation of the Probation Department and the United States Attorney, the Court Orders that the defendant is permitted to leave the United States and return to Panama, however, should the defendant return to the United States during his term of supervised release, he shall report to the nearest Probation Office within 72 hours and comply with the conditions of supervision. Should the defendant remain in the United States for a period of one or two years, and supervision is going well, the Probation Office may seek early termination. So Ordered by Judge Edward R. Korman on 1/29/18. (Lee, Tiffeny) Modified on 2/6/2018 to correct clerical error (Lee, Tiffeny). (Entered: 02/02/2018)
02/02/2018	<u>120</u>	MOTION for Certificate of Appealability by Michael Dodd. (McGee, Mary Ann) (Entered: 02/02/2018)
02/02/2018		ORDER as to Kenneth Landgaard re <u>96</u> First MOTION to Vacate under 28 U.S.C. 2255 filed by Kenneth Landgaard. The U.S. Attorney is directed to obtain an affidavit from Mr. Landgaard's defense counsel responding to the allegations of ineffective assistance of counsel contained in Mr. Landgaard's memorandum of law. Separately, I observe that the actual form petition itself, which was prepared by an attorney, contains only references to the memorandum of law and is unsigned, and neither the petition nor the memorandum of law contains a statement swearing that the facts underlying the motion are true. Signed by Judge Edward R. Korman on 2/2/2018. (Ward, Andrew) (Entered: 02/02/2018)
02/07/2018		ORDER granting reconsideration <u>114</u> , finding as moot motion for certificate of appealability <u>120</u> , and declining request to recuse <u>114</u> . I agree with Mr. Dodd's letter docketed January 23 <u>117</u> . A district court retains jurisdiction over a motion to reconsider a judgment even if the motion is filed after a notice of appeal of the same judgment. See Fed. R. App. P. 4(a)(4)(B)(i) & Advisory Comm. N.; Guadagni v. N.Y.C. Transit Auth., No. 08-cv-3163, 2009 WL 750224, at *2 n.3 (E.D.N.Y. Mar. 19, 2009). Under this jurisdiction I grant the motion for reconsideration in light of